

IN THE DRAIWNINGS:

Please enter the four replacement sheets of drawings (Figures 1, 3, 5, and 7) that are attached to this Amendment.

REMARKS

The Office Action of January 17, 2007 has been received and its contents carefully considered.

In response to the objection in section 1 of the Office Action, the present Amendment replaces the original abstract with a new abstract having the corrections that have been required.

In response to section 2 of the Office Action, the present Amendment forwards four replacement sheets of drawings that supply legends in Figures 1, 3, 5, and 7. In addition, reference number 17A and 17B, which are mentioned in the specification, have been added to Figure 7.

The present Amendment also revises the claims, where appropriate, to improve their form under US claim-drafting practice. It is respectfully submitted that these improvements do not undermine the allowability of claims 1-6.

Section 3 of the Office Action rejects claims 7-12 under 35 USC 101 as being directed to a method for performing a mathematical function, without a concrete and tangible result. The Office Action refers to Interim Guidelines that were published on November 22, 2005 (at 1300 OG 142). Since the Interim Guidelines have been superseded by section 2106 of the MPEP, which was revised on August 5, 2006, the following comments will refer to the MPEP rather than the Interim Guidelines.

MPEP section 2106 makes it clear that the courts have construed 35 USC 101 as meaning that virtually anything is potentially patentable, except for three judicial exceptions. These judicial exceptions, which are identified in section 2106 (IV) (c), are laws of nature, natural phenomenon, and abstract ideas. The method defined by claims 7-12 is clearly not a "law of nature" or "natural phenomenon," leaving only the "abstract idea" exception for further consideration. MPEP section 2106 (IV) (c) says that a mathematical algorithm is an abstract idea, and suggests that fundamental truths or original causes might also be characterized as coming within the scope of the "abstract ideas" exception.

The Office Action apparently recognizes that the invention of claims 7-12 is not a fundamental truth or an original cause, because, the Office Action characterizes the rejected claims as a method for performing a mathematical function. Applicant respectfully disagrees. The method of claims 7-12 is not a mathematical algorithm and does not monopolize a mathematical algorithm. Even accepting the characterization advanced in the Office Action ("a

method for performing a mathematical function”) as an accurate one, for the sake of argument only, such a characterization would not preclude patentability of the rejected claims. For example, a claim directed to a method for amplifying an analog signal might be said to be a method for performing a mathematical function, but a method for amplifying an analog signal is clearly directed to patentable subject matter. So are claims 7-12.

Even if claims 7-12 were indeed directed to an abstract idea (despite the above argument to the contrary), MPEP section 2106 makes it clear that a practical application of an abstract idea is directed to statutory subject matter. It is respectfully submitted that the rejected claims are indeed directed to a practical application. Independent claim 7, for example, recites “sequentially inputting data ... to a first RAM ...” and so forth. That is, the claim specifies that data is input into a particular item of hardware, and further specifies just how it is input (“sequentially”). What can be more practical than this?

Furthermore, the RAMs, registers, and so forth recited in claim 7 would be enough to prevent the claim from totally monopolizing an abstract idea, thus avoiding the situation identified in MPEP section 2106 (IV) (c) (3).

In view of the factors discussed above, it is respectfully submitted that the rejection under 35 USC 101 should be withdrawn, and that claims 7-12 should be allowed in the absence of a rejection on the prior art. Reconsideration of the application is therefore respectfully requested.

Respectfully submitted,



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